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International Court of Justice

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Official transcript of the International Military Tribunal in the matter of the United States of America, the French Republic, the United Kingdom of Great Britain and Northen Ireland, and the Union of Soviet Socialist Republics against Hermann Wilhelm Goering et all, Defendants sitting at Nurnberg, Germany on 30 March 1946, 1000 - 1300, Lord Justice Lawrence presiding.

THE MARSHAL: May it please the Tribunal, the report was made that the defendant Doenitz is absent from Court this morning.

THE PRESIDENT: Yes, Dr. Horn

DIRECT EXAMINATIOM - Continued.

BY DR. HORN:

Q On the 16th of February 1923, in an ambassador conference, the soveignty of the Memel Land was given to Littuania. It had already been annexed prior to that date. What caused Hitler to give you directives to take back the Memel Land in 1939?

A The Memel Land is very small and it was always considered a part of Germany and was very dear to the heart of German people. The historical facts are well known. After the loss of the World War I, it was put under the control of the Allied Powers, and later it was occupied by Lithuanian soldiers. The country itself is purely German territory, and it was a natural development that this country wanted to return to Germany once more. The Fuehrer, already in the year 1938, assigned this problem to me which would have be solved sooner or later. In the spring of 1939 negotiations were taken up with Lithuanian Goverrment. These negotiations brought about a meeting of the Foreign Minister of Lithuania and myself, and a pact was signed, through which the Memel Land was to be again incorporated with the German Reich. That was in March 1939. This country has suffered greatly in the past few years, and I do not need to mention the details. It was in accordance with the self determination of peoples, according to International Law, that the will of Memel Land people was taken into accord, and this pact just sealed a condition which had existed before and which would have to be restablished sooner or later again.

Q Half a year after that the Polish campaign started, and what are some of the decisive causes which led to this war?

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A I already testified as to this matter yesterday. The decisive point was the English guarantee toward Poland, and I do not need to elaborate on this point. Through this guarentee there was no possibility for us to deal or to negociate with Poland. As far as the actual outbreak of the war is concerned, the following facts should be taken into considerations:

1. There is no doubt --

MR. DOOD: If your Honor please, I generalized yesterday morning and I repeat my assertion that I am most reluctant to interfere with this examination, but my point is that the witness himself, before going into his answer stated that he had already given the causes for war yesterday afternoon, and I quite agree. I think it is entirely unnecessary for him to go over it again today. I might add parenthetically that we had some great doubt about the relevancy or the materiality of it even yesterday, but surely we do not have to hear him again.

THE PRESIDENT: What do you say to that, Dr. Horn?

DR. HORN: I would like to reply that the former minister, who is accused of having participated in an aggressive war, might perhaps say a few things about the decisive causes which led to this war. The defendant, of course, should not repeat what he said yesterday. I only wanted him to say those things today which he had not mentioned yesterday, and I will not take up any more time than is necessary.

THE PRESIDENT: Very well, Dr. Horn, provided, of course, that he does not go over the identical grounds that he went over yesterday.

Q Please tell us these facts very briefly.

A There are just a few brief facts that I would like to mention. I will discuss only the events of the last two days. First of all, I would like to say that there is no doubt that on the 30th and 31st of August they knew about the high tension of the situation in England, These facts were made known to Hitler through a letter and Hitler said that a very quick decision and a quick solution would have to be taken. This letter was sent by Mr. Chamberlain to Hitler.

Point 2, England knew that the proposals made by Germany were reasonable for we know that England was in possession of these proposals on the

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night of the 30th to the 31st. Ambassador Henderson himself declared these proposals to be reasonable.

Point 3. It would have been possible, therefore, in the course of one day, the 31st, to give a hint to Warsaw and to tell the Poles to begin negociations with us. It would have been possible to do this in three ways, either a Polish intermediary could have flown to Berlin in a flight, as the Fuehrer said, which would have taken an hour to an hour and a half; a meeting with the Foreign Minister could have taken place; or simply, Ambassador Lipsky could have been instructed to accept the German proposals. If this instruction had been ordered the crisis would have been eliminated and diplomatic negotiations would have been initiated that way. England, herself, if she had wanted to, could get in touch with her ambassador so that he could have been present at the negotiations, and any action like that would have been hailed on all sides.

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Nothing like that, however, did take place, and, as I have seen from the documents since I have been interned here, in this period of time nothing happened or took place which could have alleviated this very tense situation. There was and is Polish chauvinism, and we know from the word of Ambassador Henderson and through the testimony or affidavit of Mr. Dahlerus, Ambassador Lipski used very strong words, which characterized the Polish mentality. Poland knew very well that it would under all circumstances have the assistance of England and France. This attitude of Poland became such that for all practical purposes, war was inevitable. I believe that these facts are necessary for the complete and overall historical picture of the situation.

I would like to add that I regret this development of events. My labor of 25 years was abolished through this war, and in the last hours I tried repeatedly to do everything to avoid this war, and I believe that the documents of Ambassador Henderson show that my efforts in this direction were repeated and strong.

I told Hitler of Chamberlain's ardent desire to have good relations with Germany and to reach an agreement, and I had a special messenger sent to the British Ambassador, Sir Nevile Henderson, to tell him how earnest and how serious the wish of the Fuehrer was and that he should do everything to tell the wish of Adolf Hitler to his government.

Q In April 1940 the occupation of Denmark and Norway took place. On 31 May 1939 you had concluded a non-aggression pact with Denmark and on the basis of these facts you are accused by the Prosecution of perfidious diplomacy.

When and in what way did you have knowledge of the imminent occupation of Denmark and Norway?

A It was always the wish of the Fuehrer and my wish to keep Scandinavia neutral, and we tried to limit the war and to prevent it from spreading.

In April 1940 I was summoned to the Chancellery by Hitler. He told me that he had reports or intelligence, according to which the occupation or landings by the English in Norway were imminent and that he had decided therefore to occupy Norway and Denmark and that was to take place on the day after next. That was the first knowledge I had of this step.

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I was quite surprised, and the Fuehrer showed me the various documents which he had received through intelligence. He instructed me to prepare notes at once which were to inform Norway and Denmark that a German invasion was to take place. I told the Fuehrer that we had a non-aggression pact with Denmark and that Norway was neutral, and also told him that through our Ambassador at Oslo we had reports which did not show that an English landing was planned, but after I saw the documents of proof which the Fuehrer showed me and how serious the situation was, I realized that these reports were to be taken seriously.

The next day I made efforts to prepare these diplomatic notes which were to be taken by plane in the course of 8 April to Oslo and Copenhagen. On that day we worked day and night in order to complete these notes. It was the order of the Fuehrer that these notes would arrive shortly before the German occupation. This was done according to the Fuehrer's wish.

The occupation of Denmark was conducted without friction, as far as I know. I do not believe that even one shot was fired.

After the occupation we negotiated with the Danish government. Agreements were made so that everything would take place as quietly and in as friendly a manner as possible. Denmark received all guarantees for her integrity, and subsequent developments were rather quiet and orderly.

Things were a little different in Norway. There was resistance there. We tried to keep the Norwegian King in the country and to ask him to remain in the country. We negotiated with him, but we did not succeed in our negotiations; he went to Narvik, I believe it was, and the possibility of negotiations was not present in Norway.

Then Norway was occupied, as is well known, and a civil administration was established there. The Foreign Office was not concerned with these matters after the occupation any longer.

I would like to add one more thing. That is that the Fuehrer told me repeatedly that these measures which he had taken had been extraordinarily necessary, and the documents which were published showed that without doubt, without the occupation by Germany, the landing by England had been prepared long in advance and had been planned definitely.

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In the course of this proceeding, it has been discussed and we have heard of the great sufferings of the Norwegian and Danish people. I personally am of the opinion that the German occupation-- and your attitude may be whatever it is--but in practical effect the German occupation prevented Scandinavia from becoming a theater of war, and I believe that we did a great service to the Norwegian and Danish people and prevented untold suffering from coming to them. If a war had broken out between Germany and the Scandinavian countries, much suffering and privation would have been the lot of these people.

Q Did you, before the occupation of Norway, have anything to do with Quisling?

A At this point I must say that the name of Quisling really became a concept much later. Before the occupation of Norway, it was no concept as far as I was concerned. It is true, of course, that on the part of Mr. Rosenberg connections were established with people in the Northern countries who were friendly to Germany so that we could support these people, and that is a natural course of events. At that time monies were given for propaganda purposes in the pressand for political activity in Norway.

At these discussions- and I remember them distinctly--there was never any talk of any taking over of power politically in Norway or any talk of military operations. We never discussed a point like that.

Q What influence did the Foreign Office have in Denmark after the occupation of Denmark?

A After the occupation of Denmark the Foreign Office was represented through an Ambassador. He was at the Danish Court. Later, because of certain events which I believe it would take too long to enumerate, the German government took him back and a Reich Plenipotentiary was appointed. At the same time there was a military commander in Denmark and later a Higher SS and Police Fuehrer.

The activity of the Ambassador with the Danish King was the activity of a normal and, perhaps, influential Ambassador, who could clarify matters

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and try to put aside difficulties which in the course of an occupation would naturally arise, and the activity of the Reich Plenipotentiary was, according to my instructions, to treat Denmark as a country which was not hostile to Germany but friendly to Germany, and we considered that our chief principle in Denmark -- to treat them as a friendly country.

When the war became more serious, our position had to be a little more severe, but through many long years of war, there was complete quiet and calm in Denmark, and we were very well satisfied with conditions there. Later, because of hostile enemy agents, we had to take a more severe attitude, but the attitude of the Reich Plenipotentiary was always to ameliorate conditions, to do everything possible to ease difficulties, so that good relations between the Danes and the Germans would prevail. Those were his instructions. Of course, it was not always easy for him to do that, but, all in all, he conducted his work very satisfactorily.

Q When and in what way did you have reports about the intention of the French-British General Staff to take Belgium and Holland into the operational sphere?

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A Of the taking in of Belgium and Holland into the operational spheres this question is of great importance, and it has been repeatedly mentioned here in the proceedings.

The situation was this: In 1937, through an understanding at that time, Germany had made an agreement with Belgium in that year so that Germany would maintain and honor Belgium's neutrality on the condition that Belgium would maintain her neutrality on her part.

After the Polish campaign the Fuehrer told me repeatedly that, according to intelligence reports, there were hostile intentions in the Ruhr area through Belgium and Holland. We on occasions received reports like that, but our reports were of a little less concrete nature. In any event, Adolf Hitler believed that an attack on the vitally important Ruhr was a possibility that he had to count on at all times. I spoke with the Fuehrer repeatedly of the significance of Belgium neutrality as far as the world was concerned, but even I knew that it would be a hard battle, a battle of large proportions, and that other norms would have to apply here.

In the course of events in the spring of 1940 these intelligence reports about such an attack became more and more concrete, and documents which were found later and published by the Foreign Office, documents of the French General Staff, proved conclusively that the reports which Germany had were absolutely true -- that actually the plan of an attack on the Ruhr area was planned by the then enemies of Germany. In this connection I would like to call attention to a document which concerns a discussion of Chamberlain with Daladier which took place in Paris, in which Chamberlain suggested an attack on the vitally important areas of the Ruhr. These proposals were made, and I believe this document is at your disposal, at the disposal of the defense.

The situation before this attack on which the Fuehrer decided -- the situation in the West was such that at any time he had to count on an attack. Therefore he decided to attack over these two neutral countries, and after the attack -- and I believe military sources will confirm this -- further documents were found that in fact corroborate my story, which showed the clos. cooperation of Belgian and Dutch General Staffs with the French and English General Staffs. Of course it is always a difficult matter in a war of that

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scope to violate the neutrality of any country, and one shouldn't believe that these were things which we took lightly. I had many a sleepless night over these things, and I would like to call to your attention that the same reasons were considered by the other side; other statesmen discussed this question. I remember a quotation: "It was really very fatiguing to think about the rights of the neutral." This statement was made by a great British statesman, Winston Churchill.

Q What caused Germany to violate the integrity of Luxemburg?

A As far as Ludemburg was concerned, about the same situation applied as to Belgium and Holland. Luxemburg is a very small country, and it is clear that in a war of this size the army cannot suddenly eliminate or spare one country. As far as Luxemburg is concerned, I would like to point out one fact. In the summer of 1939 we had started negotiations with France and Luxemburg in order to reach concrete neutrality agreements. These negotiations seemed to have an auspicious start, but suddenly one day they were discontinued by France and Luxemburg. We couldn't quite understand the attitude of these countries at the time as to why this took place, but I know when I reported to the Fuehrer about this the Fuehrer became a little suspicious. Just what the motives of the other side might have been we never knew.

Q What were the possibilities of the influence by the Foreign Office after partial occupation of France?

A After the occupation -- after the partial occupation of France -- at my request, even though we didn't have a complete peace with France and thereby have had cause to reopen diplomatic negotiations, because it was, after all, just a truce, the Fuehrer sent an ambassador to the Vichy Government. I was especially interested in having this step carried through, for it had always been my ambition to have close contact and close collaboration with France. I would like to emphasize that my efforts in this behalf immediately after the victory and truce were taken up again immediately. The Fuehrer was completely ready to follow my request, and in line with my request began to initiate the so-called Montoire politics and policies.

After a meeting of the Fuehrer and Franco he met with Marshal Petain

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at Montoire. I was present at this meeting. I believe that I may say in the interest of historical truth that the manner in which Hitler treated the heads of a conquered nation might be termed as "model and knightly." There are few parallels in history which could equal his demeanor.

Hitler made proposals to Petain immediately, proposals for a closer collaboration between Germany and France. Marshal Petain, even at the first meeting, was reserved and had at the first meeting many reservations, even from the beginning. To my great regret this first meeting was concluded a little more briefly and sooner than I had hoped. Nevertheless, in the course of events we tried systematically and methodically to carry on a policy of close collaboration and good relations with France. That this did not actually succeed might be traced back to the attitude in France and according to the will of the leading circles. But Germany had good will and showed it.

Q What influence did you have, together with the Foreign Office, on conditions in Belgium -- after the occupation, that is?

A As far as conditions in Belgium are concerned, as well as in Holland, we had no influence whatsoever. The Fuehrer set up military and civil administrations and the Foreign Office was in no way connected with any of this It was represented only by a laison man who, in practicality, had no functions. I would like to add that subsequently it was a little different in France in this respect, since we had certain influence on the Vichy regime through our ambassador. I did that in the realm of finance. This matter has been discussed in this Tribunal.

I would like to say only that at that time I told Mr. Hemmen, no matter what his powers were -- I appointed him in order to prevent inflation and told him to keep the chief currency under control. That was the special mission that Hemmen had from me. France was essential to Germany economically; especially since it did not want to cooperate with Germany politically, I wanted to keep money sound and stable, and those were Hemmen's instructions.

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Q What foreign political plans did Hitler have after the conclusion of the campaign in the West?

A After the completion of the campaign in the West, I talked with the Fuehrer at headquarters about future developments. I asked him what he intended to do with England, and I suggested whether we had better not make another attempt with England. The Fuehrer seemed to have similar thoughts, and was very enthusiastic about my proposal of again making a peace offer, or bringing about a peace with England in some way. I asked the Fuehrer whether I should direct an agreement. The Fuehrer said, spontaneously, "No, that won't be necessary, I will do that myself, and that means you will not have to do it."

He said, "If England is ready for peace, there are only four points upon which I wish to agree with England. First of all, I want, after Dunkirk, that under no circumstances should any loss of prestige on the part of England result. I do not want a peace which would let England lose prestige."

So far as the substance of a peace like that was concerned, he enumerate four points:

First, he said that Germany was ready to recognize the existence of the British Empire.

Point 2, England must, therefore, consider Germany as the largest and strongest power on the Continent, especially because of her population.

Third, he said, "I want the German colonies, or I will be satisfied if I get one or two colonies back, because of the raw materials."

Point 4, he wanted a permanent agreement with England for life and death.

Q Is it correct that through Hitler, at the end of 1939, you heard of the Greek-French conferences and the sending of French officers to Greece, or that you received knowledge of these goings on?

A Yes, that is correct. We were to keep the war in as close a scope as possible, as the Fuehrer had pointed out to me, and in accordance with this I had to keep an eye on the Balkan situation. Hitler wished, under all circumstances and at all costs, to keep the Balkans out of the war.

The situation was as follows: Greece had a British guarantee and had

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accepted that guarantee. Also, connections were very close between Yugoslavia and England and Greece. Through our intelligence and through military channels we heard repeatedly about conferences of the general staffs between Athens, Belgrade, London and Paris, on the one side, which were allegedly taking place.

At that time, on several occasions, I summoned the Greek Ambassador and called these things to his attention. I asked him to be very cautious, and said that Germany had no intention whatsoever of undertaking anything against the Greek people, who had always been very popular in Germany.

Then, further intelligence reports came in that British bases for the British fleet, I believe, were being established in Greece. These things led to the intervention of Italy, which was not at all desired by us. I believe Reichsmarshal Goering has already discussed this topic. It was not possible to prevent Italian intervention. I was in Italy at the time, in Florence, with Hitler, and when we arrived it was too late already, I am sorry to say, because Mussolini said, "We are already on the march." The Fuehrer was very much depressed and sad when he received this news.

Therefore, at all costs, we wanted to prevent the war between Greece and Italy from spreading. For this, Yugoslavian policies and politics were decisiv I tried, in all possible ways, to keep closer connections with Yugoslavia. The three-power pact had already been concluded, and I wanted Yugoslavia to join. It was very difficult. With the Regent, Prince Paul and the Government, we finally succeeded, one day, so that Yugoslavia joined the three-power pact. We knew very well that, in Belgrade, strong powers were at work against the joining of Yugoslavia to the three-power pact, or any closer connections with Germany at all.

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The Fuehrer said that the conclusion of the three-power pact had looked like a funeral to him.

We were very much surprised -- I believe it was two or three days after the conclusion of this pact--that there had been a putsch, or a riot. The government had been overthrown and a new government was set up, which, undoubtedly, was not friendly to Germany.

Then we had reports from Belgrade about close collaboration with the British General Staff. I believe American observers on this problem know about this, and from English sources I have heard that British elements were also involved and cooperated in this putsch. It seemed to have been entirel natural, for we were at war.

All of these events caused the Fuehrer to intervene in the Balkans, first of all, to help Italy, because she had been in very desperate straits in Albania; and secondly, to prevent Yugoslavia, through perhaps an attack through the North, to make the Italian situation much more serious and perhaps consider Italy our partner.

There were military, strategic measures which caused the Fuehrer to ente the campaign and to intervene against Yugoslavia and Greece.

Q If I understood you correctly, Greece, even though she had declared her neutrality before the Italian attack in October of 1940, gave bases to the British fleet on her isles, andput these isles at her disposal.

A Those were the military reports which I received.

Q In September 1939, General Gamelin, the then French Commander-in-Chie had a plan of an allied landing at Salonika, and he approved of this. When did Germany receive knowledge of these intentions?

A We learned the exact details from the files of the French General Staff after the outbreak of the war. I know that all reports which the Fuehrer received from the various information branches, from the beginning, made him anxious about the imminent possibility of a new front in Salonika, that it might happen again, just as it had occurred in the first World War, and that this would mean a dispersal of German forces along many fronts.

Q In September of 1938 you were on a second visit to Moscow. What wa the reason for this visit and what took place?

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A My second visit to Moscow was necessitated by the completion of the Polish campaign. I flew to Moscow toward the end of September, and while there I received an especially cordial reception. The situation was such that definite conditions had to be established in the Polish area. Soviet troops had occupied the eastern regions of Poland, and we had occupied the western parts up to the line of demarcation that had been agreed upon, and a clear demarcation and sphere of influence had to be made.

We were also concerned with strengthening our connections with the Soviet Union and puttingthem on a friendly basis. An agreement was reached in Moscow with drew a final line of demarcation in Poland. Also, an economic agreement was planned, which would regulate economic connections and put them on an entirely new basis. It was a comprehensive treaty about the exchange of raw material. Later this agreement was concluded. At the same time a pact was made politically, as a pact of friendship, and this pact is well known

Then there was one more question, dealing with Lithuania. In a confidential relationahsip between Moscow and Berlin, the Fuehrer dispensed with any influence on Lithuania and gave Russia complete influence in Lithuania so that from that time on, territorially, conditions were regulated between Germany and Soviet Russia.

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Q Is it correct that on the 15th of June, 1940, after the giving of an ultimatum, entire Lithuania and the part which was German was occupied by Russia without Russia notifying Germany?

A We had no special agreement on this, but it is well known that these areas were actually occupied.

Q What further Russian measures made Hitler anxious as to Russia's actions and demeanor?

A Various points made the Fuehrer a little doubtful as to the Russian attitude. First of all, the occupation which I have just mentioned was one of those points; furthermore, the occupation of Bessarabia and northern Bucovina which took place at the end of the French campaign and which was reported to us without previous consultation. The Rumanian king turned to us at that time for advice. The Fuehrer, because of his loyalty to the Soviet pact, told the Rumanian king to follow Russian demands and to evacuate Bessarabia.

In addition, the Finnish war in the year 1940: The German people had strong sympathy towards the Finnish people, and it caused the German people great anxiety over the Finnish people. The Fuehrer believed that he had to take this Finnish worry into consideration up to a certain point. Furthermore there were two additional points: One was that the Fuehrer received a report about communist propaganda in German factories, and this propaganda activity was to be centralized in a Russian economic representative. We also received word about military preparations which were being taken by Russia. I know after the French campaign he talked to me on several occasions about this matter and said that near East Prussia approximately twenty German divisions had been concentrated in that region. I believe there were about thirty corps which were to be concentrated in Bessarabia. The Fuehrer was anxious over these reports and asked me to observe these things very closely. He even said that this pact had been concluded only in the year 1939 so as to be able to dictate economic measures to us, and he wanted to take countermeasures from now on. I pointed out the danger of preventive wars, but the Fuehrer said that in all cases we would have to take all odds. I told him that we should make all efforts in diplomatic ways.

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Q In November--that is, from the 12th to the 14th, 1940--the Russian foreign commissar Molotov visited Berlin. On whose initiative did these visits take place and what was the content of the discussions and conferences?

A The conferences with Molotov at Berlin had the following contents: I might interpolate that in our efforts to come to a settlement with Russia in a diplomatic way I had the permission of the Fuehrer from a letter to Stalin in the late Fall and invited Molotov to come to Berlin. This invitation was accepted, and in the conversation which the Fuehrer had with Molotov the complete complex of German-Russian negotiations and relations was discussed. I was present at these discussions.

THE PRESIDENT: What date was this?

DR. HORN: That was from the 12th to the 14th, November, 1940.

A (Continued) Mr. Molotov spoke with the Fuehrer first about German-Russian relations in general and then about Finland and then about the Balkans. He said Russia had vital interests in Finland. He said that Russia, on the basis of the then demarcation of spheres of interest, considered Finland her sphere of influence. The Fuehrer replied that Germany also had strong interests in Finland, chiefly interests in nickel. One was not to forget that the entire German people had a sympathy for the entire Finnish people, and he requested Molotov to meet him on this question. This topic was discussed later on on several occasions.

As far as the Balkans are concerned, Molotov said that he wanted to have a non-aggression pact with Bulgaria and closer connections with Bulgaria in general. Bases there were also mentioned. Molotov had told this to the Fuehrer. Then the Fuehrer asked him whether Bulgaria had turned to Molotov and approached him, but that did not seem to have been the case. Then the Fuehrer said that this question could be discussed by him and he could take a position only after he had discussed this thing with Mussolini, who was his ally and who was also interested in the Balkans.

Other points were also discussed. A final solution or settlement was not reached at this discussion. The conference took such a form which would not lead to a breaking of contradictions.

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Then I asked the Fuehrer to authorize me to take up negotiations and discussions withMolotov again and asked him if he would consent to my speaking to Molotov again about a joining on the part of Russia with the three-power pact. It was one of our intentions at that time to have Russia join the three-power pact. The Fuehrer agreed to this and I had further discussions with Molotov-lengthy discussions. This discussion dealt with the same questions again. Molotov mentioned the vital interest of Russia in Finland and the close connection between the Russian and the Bulgarian people and their interests in the Balkan countries.

Then we agreed that on his return to Moscow he would speak with Stalin in order to see whether a settlement of this question could not be found. I proposed to him that they join the three-power pact and further proposed to him that I would talk with the Fuehrer about the questions whichhad been raised and would discuss these problems with him again. Perhaps a settlement or a solution could be found that way, I suggested. The result of this conversation was that Molotov returned to Moscow with the intention that in some diplomatic way the questions between us could be clarified.

THE PRESIDENT: Surely, as these negotiations didn't eventuate in any agreement, they are very remote from anything we are cnsidering. You are not suggesting that any agreements were comt to, are you?

DR. HORN: No. I wanted to show only that there were efforts on the part of Germany to prevent the cnflict with Russia.

THE PRESIDENT: There was no question of a conflict withRussia in any of these negotiations.

DR. HORN: No. From the total efforts on the part of Germany we can gather--and from the testimony of von Ribbentrop--that we were interested in preventing any possible conflict between Germany and Russia. The Prosecution asserts that the pact with Russia was made with the intention of violating it and attacking

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Russia, and that from the beginning there had been an intention to attack Russia. I would like to show that that was not the case.

THE PRESIDENT: It seems to me to be very remote, indeed. It only goes to show that Ribbentrop entered into certain negotiations with Russia which had no result. That is all. You may go on, Dr. Horn.

BY DR. HORN:

Q In one of your previous answers you spoke of military concentration at the border of East Prussia, mentioning twenty German divisions. I assume that that was just a lapse of speech.

A I meant to say twenty Russian divisions. The Fuehrer mentioned this many times. He said, "I believe we have just one division in East Prussia."

Q Wasn't the occupation of the Balkans the reason for your discussion with Molotov?

A I did not quite understand the question. Please repeat it.

Q Wasn't the Russian occupation in the Balkans and in the Baltic states the reason to have Molotov come to Berlin?

A Not as far as the Balkans are concerned. No Russian occupation applied there. But this did apply in Bessarabia. Bessarabia really does not belong to the Balkans in the exact sense. The occupation of Bessarabia, which came surprisingly quickly, and the occupation of Northern Bucovina, a region which had not been agreed upon as a Russian sphere of influence -- the Fuehrer at that time said that this was really Austrian territory -- and the occupation of the Baltic regions. It is true that the Fuehrer was filled with anxiety because of these occupations.

Q Is it correct that you and Hitler, in the summer of 1940, knew of the presence of a French-English mission in Moscow and that you had knowledge of it?

A Yes. What was the date, please?

Q Summer of 1940; that is, after June 1940.

A Yes, that is correct. Such reports came in continually, but I cannot tell how far it actually applied to the summer of 1940. In the year 1939, when I arrived in Moscow, I found French and English military missions present there, so that according to instructions from the French and English

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governments they could conclude a military pact between Russia and England and France. It was in line with this policy which the Fuehrer mentioned on the 28th of May in his speech to the Reichstag in which he mentioned that Germany was being encircled, and which in the year 1936 in the message by Churchill had been made public.

Q Is it correct that at these conferences --

SIR DAVID MAXWELL-FYFE: My Lord, I am trying very hard to follow this. I wonder if I could be helpdd? Did the witness refer to 1940? I wanted to get it clear whether it was 1940 or 1939?

THE PRESIDENT: Do you mean about an English mission? June 1940.

A I was going to answer to that. I already said that I wasn't exactly sure about 1940, but I did say that such reports were present in 1939. I know that this mission was there in 1939.

Q At the visit of Molotov in the year 1940 at Berlin, was there any discussion that Russia, upon the conclusion of the Russo-Finnish peace, was not satisfied and wanted to incorporate all of Finland?

A In this concrete form we cannot say that, but it was clear that one could see from the Russian position and attitude that Russia was going to consider Finland as her sphere of influence, and what measures Russia intended to take there I do not know.

Q On the 5th of April, 1941, a Russian-Yugoslav non-aggression pact and friendship pact was concluded. What was the influence of this conclusion on Germany?

A The influence or result on Germany seemed to be a confirmation of the fact that Russia was deviating from the policies of 1939. He received the conclusion of this pact as an affront -- as he expressed himself -- for he said that he had concluded a pact with the government and now shortly thereafter Russia was concluding a pact with that government which was expressly set agains Germany.

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Q Is it correct that Hitler, as a result of that, prohibited you from taking further diplomatic steps against Russia or with Russia?

A It is correct. I told the Fuehrer at that time that from now on one must try all the harder to clarify Russia's position. He said that that would be useless, and in his opinion it would not change the Russian attitude.

Q What were the final reasons for the Russian conflict?

A Repeat the question, please.

Q What were the causes for the conflict with Russia?

A I have to say the following. In the winter of 1940-41, the following situation confronted the Fuehrer, and it seems to me very important that I clarify this situation.

England was not ready to make peace. Therefore, the question was of decisive importance to the Fuehrer to know what the attitude of the United States of America was and the attitude of Russia. On these two points he told me the following. I had a very lengthy discussion with him about this at that time and asked him to give me clearly defined diplomatic principles and instructions.

He said, "The attitude of Japan is not completely certain for Germany. We have, of course, concluded the Three Power Pact, but there are strong elements at work in Japan which work in the opposite direction, and we do not know what position Japan will take. Italy, through Greece and her campaign there, showed herself to be a rather weak ally for us. It might be that Germany would stand completely alone."

Then he mentioned the positon of the U.S.A. and the attitude of the U.S.A. He said that he had always wanted good relations with the U.S.A., but even though the attitude of the U.S.A. had become more and more hostile toward Germany, the conclusion of the Three Power Pact was to keep the U.S.A. out of the war. It was our wish that through it those circles in the U.S.A. might be strengthened which were for peace and for good relations with Germany That was not successful. Even after the enclusion of the Three Power Pact, the attitude of the U.S.A. toward Germany was not friendly, the chief idea which the Fuehrer and I had being that if the U.S.A. might enter to bring about two fronts, this did not actually obtain.

Now the further question of the attitude of Russia was to be considered,

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and the Fuehrer said the following: "We have a friendship pact with Russia. Russia has shown an attitude which gives me cause for misgiving and concern. We do not know, therefore, just what may befall us from that side."

He received reports of deployment, and he tried to take counter measures of a military nature upon which I am not informed. However, he had the great problem and care that sooner or later Russia on one side and the U.S.A., with England, on the other side, might proceed against Germany. He therefore counted on one side with an attack by Russia and on the other side with an attack from the U.S.A. and England, that is, an invasion on a large scale in the west.

These reasons made the Fuehrer decide to take preventive steps, and decided him in favor of a preventive war against Russia.

Q What real political intensification was at the basis of the Three Power Pact?

A The Three Power Pact was concluded, I believe, in September 1940. The situation was, as I have just pictured it, that the Fuehrer was concerned that sooner or later the U.S.A. would enter the war. Therefore, I was interested in diplomatic ways to do everything possible to strengthen the German position. I believed we had our alliance with Italy, but Italy showed herself to be a weak ally. Then beyond that, the only friend that we could count on, outside the Balkans, since we could not get France to be friendly, would be Japan.

Then in the summer of 1940 we tried to come to closer contact with Japan. Japan had made efforts along the same lines, and through the three working together the pact was put through.

The aim of the pact was, or rather I should say the contents of this pact was to be a pact of a political, military and economic nature. There was no doubt, and we always considered it from the beginning, that this pact was to be a defensive one. By that I mean a pact which, above all, was to keep the U.S.A. out of the war, and I had to hope that through such a constellation the possibility would arise to bring about a peace with England.

It was asserted many times, but it is not true, that there were aggressive plans at the basis of this pact. The purpose of it was, as I have

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said, to bring about a constellation of power which would give Germany, on the one hand, the opportunity to order things in a new way in Europe, and to give Japan the possibility in East Asia-- the China problem was there-- and Japan was to have the possibility to solve this problem. That was the purpose of the pact.

The situation was not unfavorable that the U.S.A. would rely on this pact and England would be isolated, so that perhaps a compromise peace would be achieved, a compromise peace which we never lost sight of all during the course of the war, and which we wanted even at the end.

Q What influence, according to the reports which reached you, did the Anschluss of Austria and the Munich Agreement have on the United States?

A There is no doubt that the United States, after the occupation of Austria and after the Munich Pact, was against Germany, and in a sharper manner.

Q In November of 1938 the American Ambassador at Berlin was recalled to Washington to report to his Government, and the normal diplomatic relations with Germany were interfered with. According to your observations, what were the reasons for hisbeing recalled?

A We never really found out the details, and we regretted it exceedingly, for in this way we were forced forour part to recall our Ambassador in Washington, or to call him back home to report.

But it is of course clear that the total attitude of the U.S.A. was decisive for this measure. Many incidents had taken place which brought the Fuehrer to the conviction that sooner or later the U.S.A. would enter the war against us.

I would to clarify or mention a few points. It was the attitude of President Roosevelt even in the year 1937, through a speech which he made then, that there was a campaign by the press even as early as that. Then when the Ambassador was recalled the situation became more critical and more severe, which took place on every level of relations between Germany and the U.S.A.

I believe in the meantime many documents have been published about

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these events, and I believe the Defense has submitted a good many of these documents. One of them was the position at the Polish crisis, the attitude taken by the U.S.A.'s diplomats at the Polish crisis.

The cash-and-carry plan then went into effect, which was to work against Germany. Destroyers were put at the disposal of England. Then the Lend-Lease Bill came through, and in other spheres the U.S.A. was approaching Europe in occupying Iceland and Greenland, then Africa. The help which she gave Soviet Russia after the outbreak of the war -- all these measures strengthened the Fuehrer in the opinion and in the view that sooner or later a war with America was to be counted on as a certainty. There was no doubt at least that a war was not desired by the Fuehrer, and I can say that in those years--and I think you can see this from many documents submitted by the Prosecution--that again and again I tried in diplomatic ways to do everything to keep the U.S.A. out of this war.

Q In the summer of 1941 the then American President Roosevelt gave the order to shoot to his Navy in order to prevent armament material to reach England. What was the reaction of this order on Hitler and on German diplomacy?

A It was a very regrettable incident for us. I cannot remember attitudes as far as technicalities are concerned, but I do remember that Hitler was very much excited about this order. I believe it was in a speech at some meeting, perhaps at Munich, but I do not recall exactly, that the Fuehrer replied to this speech. I recall the form of the reply because it seemed rather odd to me. He said "America has given the order to shoot on German ships." He said "I did not give any such order, but I ordered to shoot back." I believe that is the way he expressed it.

The diplomatic spheres it was customary that documents and proofs of such events reached us, but the Navy has more definite information and knows more about these matters than I do.

Then I believe protests and publications followed which referred to the measure and which clearly defined the German attitude; without referring to documents I cannot give you the exact nature of these protests.

Q Did Japan, before her attack on Pearl Harbor, notify Germany of her intention?

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A No, that was not the case. At that time I tried, as far as Japan was concerned, to move her to attack Singapore. A peace with England did not seem possible, and I did not know in a military way which measures would be possible to reach this aim.

The Fuehrer instructed me, at any rate, in a diplomatic way to do everything to reach or bring about a weakening of the position of England in order that the peace might be brought about. We believed that this could be done best through an attack by Japan on the strong position of England in East Asia. Therefore, I tried to influence Japan to attack Singapore.

After the outbreak of the German-Russian war, I also tried to have Japan attack Russia, for in such a way I saw a quick ending of the war. Japan , however, did not do that. Rather I should say, she did neither the one thing we wanted nor the other, but she did do a third thing. She attacked the United States at Pearl Harbor.

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This attack was for us a complete surprise. We had considered the possibility that Japan might attack Singapore or perhaps Hong Kong or attack England, but we never considered that it should attack the United States or that was anything that we wanted; that is, the possibility of an attack on England but if that would happen, the United States would intervene. That was the question which we considered often at length but we hoped that this would not happen and that America would not intervene. The attack on Pearl Harbor was told in Berlin -- or rather, I received knowledge of it through the press and then I received Reuter's message from the Japanese Ambassador Oshima. All other reports or proofs or anything else are completely untrue and I would like to testify to that under my oath. I would like to go further than that and concur and assert that even this attack was a surprise to the Japanese Ambassador -- as he told me, it was a complete surprise to him also.

DR. HORN: Do your Honors wish for a recess at this time?

THE PRESIDENT: Dr. Horn, how much longer are you going to take?

DR. HORN: Not much more, your Honor. I would judge 15 or 20 minutes.

THE PRESIDENT: Very well, we will recess for ten minutes.

(A recess was taken.)

BY DR. HORN:

Q What consideration, besides Japan, caused Hitler to enter into the war against the United States?

A After the report about Pearl Habor was received, the Fuehrer had to decide. The wording of the Three-Power Pact indicated that we had to assist Japan only in case of an attack against Japan proper. I went to see the Fuehrer and submitted to him the details of the situation and told him at the time that of course we had to be gratified by a new ally against England, but that at the same time a new enemy would come into being, because the United States would also declare war now.

The Fuehrer decided then that the United States had already fired upon our ships and thereby a state of war already existed. It was therefore only a question of formality, or, at any rate, the official state of war was to be expected and it would not be possible that this condition, as it existed in the Atlantic, should continue without a German-American war.

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He charged me then with drafting a note which he changed subsequently, and which meant that the Ambassador should get his passport.

Q What was the cooperation in the future between the Foreign Office and the allies of Germany?

A The cooperation with Italy was a very close one. That is to say, in fact, in the further course of the war we were forced to take care of all military matters there ourselves, to direct them.

As far as Japan is concerned, the cooperation was a very difficult one, and that for the simple reason that we could only communicate with the Japanese Government by wireless. We had connections from time to time by U-boats, but a coordinated war together with them was not possible.

I believe that on this point the expression of the American General Marshall is correct, that here a close strategic cooperation and planning of any kind did not take place. In fact, in reality, that was not the case.

Q And how was the cooperation with Italy?

A As I have just said, the cooperation with Italy was, of course, a very close one, but it proved to be difficult because there were many heterogeneous influences and Italy, from the very beginning, was a very weak ally in every direction.

Q Why, in the course of the Russian campaign, did you suggest to Hitler the making of partial peace agreements?

A At Moscow a certain atmosphere of confidence between the government and ourselves had been created, which also influenced the Fuehrer. I know that the Fuehrer, for instance, told me once that he had confidence that Stalin, whom he considered one of the really great men of history, but one could never tell what might still come. The power of the Soviets was tremendous, and therefore it was very difficult to know when and how one could come to a renewed agreement with Russia.

I, myself, always tried, through diplomatic and other channels, to obtain certain contacts, because I always believed and hoped that one could come to a peace somehow or other which would relieve Germany, generally, in the East, and make it possible for us to concentrate on the West, and even possibly lead to a general peace.

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Adolf Hitler and I met him at that time in the train at Bamberg and rejected categorically any such peace or any such attempts at peace because he believed that that would only be used, if it became known, to create a defeatism and so on. I suggested to him at that time to negotiate on a very moderate basis with Russia for peace.

Secondly, I advised the Fuehrer again to seek such a peace in the form of a long, written statement in 1943. I believe it was after the Italian collapse. The Fuehrer at that time was more prepared for such a peace and he already drafted or sketched a demarcation line which might have been found and he said that he would tell me the following day. The following day, however, I did not receive any authorization or directive from him. I believe that the Fuehrer was certainly of the opinion that the breach between National Socialism and Communism would be very difficult to mend and such a peace would only mean an armistice.

Later I again tried twice but the Fuehrer was of the opinion that first of all a decisive military success had to be achieved and then only could we start to negotiate, otherwise any such negotiations would have no sense.

If I am asked about my opinion, as to whether such negotiations would seem to promise any success, I would like to say that I myself had my doubts about it. I believe in view of the strong attitude which our opponents took, especially England since the beginning of the war, that at no instance was there really any possibility for Germany to achieve a peace, that is to say, neither in the east or the west. And I am convinced that ever since the formulation at Casablanca of unconditional surrender such a possibility no longer existed. I base my opinion not only on abstract judgments but on continuous reports and information coming through indirect channels which sometimes the other side did not realize but which we had and which represented the opinions or informed us of the opinions of important personalities during the years, that one was definitely determined to carry out this war to the end. I believe the Fuehrer was perfectly right when he said that there was no sense in such negotiations.

Q To come to a different subject, the witness Lahousen has testified here that in September 1939 there had been a conversation on Hitler's train

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in which you also had taken part and where plans were made for an incitement of a rebellion during the Polish campaign.

How did this conversation come about and what was your role during that discussion?

A I remember that in the course of the Polish campaign the Chief of the Intelligence of the Armed Forces, at that time Admiral Canaris, visited me for a short personal visit and I was at that time on the Fuehrer's train in my railroad car. I cannot remember that the witness Lahousen had been present and I had the impression when I saw Lahousen here that it was the first time I had actually seen him.

Canaris came to me casually to tell me what he was doing in the field of reports and intelligence. I believe it was at that time he told me that he had put all his men to work, all his contact men to work in the rear of the Polish Army for a rebellion amongst the Ukrainian minorities. But such as it has been said here as to a directive on my part -- he never received such a directive and he could not say so for two reasons.

First, the German Foreign Minister could not give any directives to a military office. Secondly, the Foreign Office at the time the Polish campaign started was not at all concerned with these questions, Ukrainian minorities and so on. I did not even know any of the details as to those questions. Thus, I could have given no such directives.

Q The Prosecution has submitted here --

A May I say some more about that?

The witness Lahousen said here that I had allegedly said that villages should be put on fire and the Jews should be killed. I would like to state categorically that I never made any such statements.

Canaris was at that time in my car, my compartment, and it is possible although I do not remember exactly any more, that I may have talked to him casually later again. Apparently he had received instructions from the Fuehrer later as to what he was supposed to do in Poland concerning the Ukrainian and similar questions.

The statement which I am alleged to have made does not make any sense at all because first, as to the Ukraine, those were Ukrainian villages, they

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were out friends, they were not our enemies and it would have been quite senseless of me to say that these villages should be put on fire.

Secondly, concerning the question of killing Jews, I can only say one thing, that this would be quite opposed to my own attitude and the question of killing Jews was never close to my thoughts. So that, summarizing, I may say that this is absolutely incorrect. Likewise, I have never given a directive or could have ever given a directive of that kind.

May I add also that I do not remember and I believe that Lahousen himsel was not quite convinced of that statement which I was supposed to have made.

Q What is your attitude to the circular of the Foreign Office which has been submitted by the Prosecution concerning the Jewish question as a factor in foreign politics in the year 1938?

A This circular was shown me here and I saw it here for the first time.

It happened this way. There was an office in the Foreign Office which was concerned with Party questions and with questions of ideology. That department was certainly coordinated with those departments of the Party which were competent for these things. I have seen the circular here and it seems to me that it is definitely along the same lines as were issued at that time for the enlightenment and education of officials. I could also believe that this circular passed through my office but I believe that the fact that I did not sign it and neither did the State Secretary should prove that the circular was not considered very important by me even if I had seen it. If it would have passed my office then it is quite certain that I did not read it because such long documents I did not care to read at all. But documents of that kind I had always submitted by my assistants with a few explanatory words and may I also say that in the course of the day's work there were hundreds of letters which we received and some of them were read to me, some of them I signed and many of them I may never have read, but I want to state that here too it is quite to be understood that if one of my officials signed the circular that I assumed the full responsibility for it.

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Q The prosecution has repeatedly mentioned the Geneva Convention. In this connection your name was also frequently mentioned. What was your attitude toward the Geneva Convention?

A I believe, and many people could confirm that, that from the beginning of the war the Foreign Office and I have always been very much in favor of the Geneva Convention. I should like to add that we have always found great interest and great understanding with the Army. That later perhaps one has departed in one point or another from these principles can be ascribed to the harsh necessity of the war and also of the Fuehrer.

Concerning the terror fliers I have to say that during the years of 1943 and 1944 English and American air raids became a terrible danger for Germany. My first impression at that time was Hamburg, and I do remember this incident very well because I was at that time together with the Fuehrer and I described to him the terrible depressed feeling I had had. I believe that nobody who has ever seen such a raid and the result and lived through such a raid can get any impression of what it means. It is quite clear therefore that on the German side Hitler continually had to try to find a solution. I must speak here about the terrible attack on Dresden, and I would like to ask if the Court agrees to call a witness, that is, the Danish minister, who was there during the attack and described it to me two days later.

It was therefore quite clear at that time that the question of terror fliers had to be solved by the Fuehrer somehow or other, and our attitude was that we wanted to find a solution within the Geneva Convention or at least a solution of which we could frankly notify the opposing side. My point of view, and which I have expressed frequently, although my field was not immediately interested in the question, that is to say, we were not interested in the job ofthe intelligence--that was a military or political question--but we were interested with regard to the Geneva Convention; and that attitude, our attitude, was that if one did anything about that question there had to be an official proclamation in which should be announced a definition of terror fliers, and in which it should be said that these terror fliers who had committed an attack upon the civilian population would be

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brought before military courts. And these measures, that is, these preparatory measures, should relate to the Geneva Convention, which should be notified along with the enemy. If then any such fliers would have been convicted by a court, a military court, they should have been executed; if not they should be returned to the status of prisoners of war. Practically it never came to that. It was not a suggestion which I had made, but a statement, a remark made during two conferences withHitler, and that was never practically realized because a definition could not be found.

I believe later there was some discussion whichhad allegedly taken place in Kressheim (?) where I proposed a very far-reaching solution. This conference itself, if I remember correctly, did not take place. I believe, but I do not remember correctly, that at that time I was not on good terms withHimmler, and that I had not talked to him or to Goering, whom I didn't see frequently about this question. I believe therefore that it is possible that in the course of a state visit in Kressheim, which happened frequently, that there was a conversation with the Fuehrer, a general conversation, about these facts, which happened frequently. But I do not remember that very accurately; I only know one thing, that if a more far-reaching proposal was made it was what I had mentioned, and that can only refer to the following.

At that time we were concerned about a clear definition of the expression "terror fliers," and there were the questions which arose and were discussed coming from various sides to the effect that certain categories of attack should be defined as "terror attacks." I believe attacks with weapons such as machine guns on the planes. It is possible, I believe, that this note or this remark implies that a person who knew my impressions wanted to find a practical solution which later could have been brought into accord with the Geneva Convention or at least could have beendiscussed with Geneva officially.

Then one has submitted here in this connection a document, or I believe a suggestion, for an affidavit by an expert of the Foreign Office. That affidavit--I do not know now how it came up; whether I gavethe order for it or whether some officers of the Army started it who wanted to know the

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opinion of the Foreign Office. The details I do not know: I only know that the armed forces, the Wehrmacht, always stressed the importance to know our opinion concerning the Geneva Convention very clearly.

I remember that affidavit, however, and that I have seen it. I t has been said here that I had approved it. I believe details would lead too far. That is not correct, but I remember that at that time I considered that affidavit a very important matter which I did not like to decide myself, and I had it submitted to the Fuehrer. And I also believe, or rather I remember fairly well, that the Fuehrer said at that time that that was nonsense, and that therefore this affidavit did not find any approval with the Fuehrer. And in the further course of events I only heard, because we were only indirectly interested, that it did not come to an order from the Fuehrer or the armed forces, the Wehrmacht, because the armed forces were of the same opinion on that question as we had been. I could not recall that in detail however; I can only say one thing with absolute certainty, and that is that since this question of the terror fliers had come up that I was not informed of a single case of lynching; I only heard there that they had taken place.

Q The other day the witness Dahlerus was brought here. Since when do you know Dahlerus?

A I believe that I saw Dahlerus here for the first time. Of course, it is possible that I may have seen him once from afar or possibly in the Reich Chancellory during one of his apparently frequent visits with the Fuehrer. But I do not remember him, and when I saw him here I had the impression that this was the first time.

Q Did you have any possibility of having any influence over the airplanes of the Reich Government?

A No, I had no influence.

Q Another question. As foreign minister what real estate was under your jurisdiction?

A It has been said the other day by the British prosecutor -- it has been asserted -- that I had had one house first and later six houses. I want to clarify this for the Court. After I had lost my entire fortune, which I acquired by my own work, I became quite wealthy again. Besides, I had certain possibilities through relatives and through my wife and through relatives of my

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wife to -- in the years 1922 and 1923 I built a house in Berlin-Dahlem and bought real estate, and we lived there for many years. Furthermore, in 1934, as I want to point out, this had nothing to do with my political activities, because I had just started in my political activities at that time from a small inheritance and from some funds which I had and from which I bought an estate, a small estate, Sonnenburg, near Berlin, with a small house. The other -- I would rather say, since that time I have not acquired a square metre of property anywhere in Germany or anywhere else. The other houses which have been mentioned here by the British prosecutor -- here we deal with the so-called Castle Fuschl, which had become known during the war through receptions of many foreign statesmen. That is not really a castle but a tower, an old hunting tower of the Archbishop of Salzburg, which the Fuehrer had put at my disposal because he wanted that when I was at Obersalzburg I should not live in the hotel, it was always very crowded and I had to bring my assistants with me, my staff, and that I should have a roof over my head.

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This property, Schloss Fuschl, never belonged to me personally, but it was a so-called endowment of the Foreign Office, which belonged entirely to the State and was also supported by the State. I never knew the former owners of this castle or this tower, but only knew their names, and, therefore, I cannot say any more about them. I have only heard that during the time that the confiscations took place in Austria, the property of political enemies was also confiscated by the Reich Government.

The second one which has been mentioned here was the house, I believe, in Slovakia, and a third house in Sudetenland, which had belonged to a Count Czernin. I believe I can explain this also.

The Fuehrer had given me permission in order to invite foreign statesmen and be able to talk to them informally and to arrange hunting parties. I was also a hunter. The Foreign Office, that is to say, the Reich Government, had leased hunting grounds and buildings in Sudetenland. I believe they were never bought. They were only leased. The same thing applied to Czechoslovaki and that estate did not belong to us at all. The Slovak Government only put it at our disposal a few days every week to hunt deer and I used it two or three days. But that has nothing to do with my own property.

Another place was mentioned, a house which was situated, I believe, in the Rhineland, It is the Tanne House. It is a small house, according to the description which I have received, where the feedmaster who took care of several horses lived. I was a cavalry man once and was interested in the horses which had been acquired by the state from the Aga Khan in France, who was the owner of the stables. And the horses had been brought there because there was no place for them in France. I want to state that these horses were paid for, according to their real value, and I think the Aga Khan can confirm this. They were brought to Germany in full agreement with the Fuehrer, although he had not much interest for horses, but he understood my point of view. These horses were later to be taken care of, together with horses belonging to the Reich Regierung.

If the Tribunal permits, I would like to say again as far as my personal affairs are concerned, my defense counsel can present witnesses and affidavits showing that I have stated at the end of my ministry that I would not like to

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have a single mark more than I had in the beginning, with the exception of two gifts which I have received from the Fuehrer, but which I believe I have used up in the course of my expenses.

Q One last question: During your foreign political activity, did you see any possibilities to realize possibilities for the vision which had been granted for Germany but never realized?

A That was a great difficulty and the difficulty from which evolved this war. Adolf Hitler wanted -- and he told me that very often -- he looked for a solution for all these problems in Europe to build up an ideal social state. That was his aim. Now, the realization of these ideal aims of the Fuehrer were greatly hampered by the strenuous political system, as well in Europe as throughout the world, which at that time had been established. The Fuehrer has -- and then I have upon his orders, and I believe I may be a good witness for it myself -- always tried to solve these problemsin a diplomatic way. I was very much concerned with Paragraph 19 of the Statute of the League of Nations day and night, but the difficulty presented itself that the Fuehrer was not in the position, or was convinced that it was simply impossible through diplomatic channels and, without having a strong armed force to back it up, to get any results. The mistake was made, I believe, that in Paragraph 19, which was a very good paragraph of the Statute of the League of Nations, which we all would have been very willing to sign and execute, the practical execution to realize this paragraph was missing. It was simply not there. And that created a situation where the powers -- and that is quite natural -- who wanted to retain the status quo were against any steps taken by Germany, which, of course, caused some reaction with the Fuehrer, until finally it came to a point, and to the very tragic point, where a question like Danzig and the Corridor, which could have been solved relatively simply -- but over such a question this great war has started.

DR. HORN: I have no more questions.

THE PRESIDENT: I do not think it would be possible to go any further with the examination of the witness today, but the Tribunal would welcome your assistance and the assistance of the Prosecution with reference to your documents. Could you tell us what the position is with reference to your

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documents, and could the Prosecution tell us how far they have been able to see these documents since they have been translated and how far they have been able to make up their minds as to what documents they wish to object to; what documents they are prepared to admit as being offered in evidence before us? Could you tell us what the position? How many of your documents have been translated?

DR. HORN: A gentleman from the British Prosecution told me this morning that the English document book will not be ready until Monday and then I, together with him, could work out the question of relevant documents. He also told me that through the British Prosecution everything would be arranged with the other delegations of the Prosecution. So that on Tuesday I should be in a position to submit the remaining documents and, I believe, within two or three hours this could be taken care of. I want to submit these documents in groups and would not have to read too much, I would only have to explain for what reason I would like to put these documents in evidence.

THE COURT: You said, did you not, it would take you longer than two or three hours to explain the documents after you had come to the arrangement with the Prosecution?

DR. HORN: A Yes.

THE COURT: And have you any other witnesses to call besides the defendant?

DR. HORN: No. I would only like to submit an affidavit by Legationsrat Gottfriedsen, which describes the personal relations of property of Ribbentrop. Gottfriedsen was officially charged in the Foreign Office with the handling of the official income of the Foreign Minister and was also very well informed about his private property in particular, as well as about the personal and official property in objects of art of the Foreign Minister and the Foreign Ministry. This information I have put in a few questions and they are contained in the affidavit. If the Prosecution has no objection and does not protest against this affidavit, I would not have to call the witness Gottfriedsen. However, if the Prosecution wants him to be here, then I would ask him about the contents and substance of the affidavit. Besides that, I have no witnesses for the defendant von Ribbentrop. Therefore, by presenting

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my documents, I could conclude the case Ribbentrop as far as the defense is concerned.

THE PRESIDENT: Would the Prosecution tell us their view on this?

SIR DAVID MAXWELL-FYFE: My Lord, as far as the British Prosecution is concerned, we have now had six document books, I think, taking us up to 214, roughly two-thirds of the documents which Dr. Horn wishes to tender, and we have been able to go through up to No. 191. I made out a list -- I could hand one to the Court and give Dr. Horn one -- of those documents that we object to, which are very briefly set out. I should think we object to something like seventy or eighty, between Nos. 45 and 191. There may be a little more. The Soviet delegation have, I think, in their position, to tender their objections, which are practically entirely in accord with ours. They were prepared separately. M. Champetier de Ribes has at least two batches of documents to which he

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wishes to make objections. I think I may say that Mr. Dodd is more or less leaving this point to me and will act in accordance with the British Delegation's view on the point. So that is the position. It probably would be convenient if I handed in a very outlined list of objections which I have up to date.

THE PRESIDENT: Yes, the Tribunal would like to know, Sir David, what the position of the Prosecution is about the translation of the documents. You remember that the Tribunal did make an order that the Prosecution should object to documents, if possible, before they were translated so as to avoid unnecessary translations and in any event of disagreement between the Prosecution and the Defense any matter should be referred to the Tribunal. It is thought that there were a great number of documents which should be achieved in that way and the labor and time taken up in translation would be obviated.

SIR DAVID MAXWELL-FYFE: Yes. The difficulty we have been in over these documents is that we did our best to try and formulate our view on the index, but it is a very difficult matter when you get a short description of only a line and a half about a document, to form a view. It might be that that would be the most practical way of doing it, despite its difficulty. If the Prosecution were given an index with as fairly good a description as possible of the document, the Prosecution then formulated their objections on the index, and the Tribunal heard any outstanding differences before the documents were translated, I should think--I am afraid I can only put it tentatively--it would be worth a trial. Otherwise, you would get there terrible blockage of the translation department by a vast number of documents, such as we have had in this case, to which ultimately we would have to make very numerous objections, but that holds up the translation of documents by subsequent documents. Therefore, I should be prepared--my colleagues would support me--in making a trial, if the Tribunal thought it could be done, to have an index on a list of documents and see if we could in that way arrive at the results which would obviate the necessity of translating them all.

THE PRESIDENT: Would it be of assistance to the Prosecution, supposing

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the defendant's counsel were to give them the entire documents in German with also a full index, perhaps, in English, and then the Prosecution have some member of the Prosecution who is familiar with German go through the documents in German and the Prosecution can then make up their minds in that way? I mean, that would be an assistance to the Prosecution. They would have not only the index to inform them as to what was the nature of the documents but they would have the documents in German.

SIR DAVID MAXWELL FYFE: I think that would be a great help, especially, if the material passages were underlined.

THE PRESIDENT: Then, with the co-operation of the defendant's counsel, some measure of agreement might be arrived at as to what were the necessary documents to lay before the Tribunal?

SIR DAVID MAXWELLFYFE: Yes, I think that could be done, My Lord.

THE PRESIDENT: Well, then, Sir David, with reference to the immediate future, on Monday, of course, some of the defendants' counsel may wish to ask questions of the defendant Ribbentrop and then the Prosecution may wish to cross-examine him, and that, I suppose, might possibly take all Monday.

SIR DAVID MAXWELL FYFE: I think that is highly probably, My Lord.

THE PRESIDENT: Under those circumstances, if the scheme which Dr. Horn has outlined is carried out, there would not necessarily be any delay at all because by Tuesday morning his documents would have been all examined by the Prosecution and the objections to them would have been put in, and he could then go through, as he says, in two or three hours, the documents which remain for the consideration of the Tribunal.

SIR DAVID MAXWELL FYFE: I respectfully agree, My Lord.

THE PRESIDENT: Then the Tribunal would like to know what the position is with reference to the next defendant. It may be that on Tuesday of the midday adjournment the case of defendant Keitel would come on. Now, are his documents in order? As far as I remember, most of his documents are documents which have already been put in evidence.

SIR DAVID MAXWELL FYFE: A great many.

THE PRESIDENT: Is that not so?

SIR DAVID MAXWELL FYFE: Perhaps Dr. Nelte could help us.

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THE PRESIDENT: If he would, yes.

DR. NELTE: Mr. President, I am ready to begin at any time. The documents have been presented and last week affidavits were presented to the Prosecution. I only wait for the decision of the Prosecution about the question of relevance of those documents, which the defendant has submitted as his own statements, and which shall be submitted in order to shorten the examination.

SIR DAVID MAXWELL FYFE: I have not had the chance of going through them myself but, as a matter of principle, we have always been quite prepared that a statement should be read so long as the witness is there to be cross-examined. If the Tribunal has no objection, there will be none from the Prosecution on that procedure.

THE PRESIDENT: Yes, the Tribunal has no objection at all to that method of presenting written documents, provided the Prosecution does not object to them, and, therefore, no cross-examination is necessary. Could Dr. Nelte tell us whether the documents which he wishes to present in so far as they have not already been put in evidence, have been translated yet?

DR. NELTE: They were sent to the translation office, the last two documents three days ago. I assume, therefore, that the delegations of the Prosecutionhave in the meantime received the translations.

THE PRESIDENT: Sir David, have you received them?

SIR DAVID MAXWELL FYFE: No, My Lord, we have not received them.

DR, NELTE: Maybe they have not been sent to them yet. There are several of them, about two-thirds of the documents, which have already been submitted to the translation office about two weeks ago and they were all ready in French and in English, and, subsequently, I also presented these documents to the Russian delegation so that they could be translated into Russian.

SIR DAVID MAXWELL FYFE: I am told, My Lord, from General Mitchel that the documents are translated. They have not yet been distributed.

THE PRESIDENT: Very well. Then there ought to be no cause for delay in connection with the defendant Keitel's case.

SIR DAVID MAXWELL FYFE: My Lord, I do not think so.

DR. NELTE: No.

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THE PRESIDENT: Then, does the same apply to the defendant Kaltenbrunner, who is the next one? Dr. Kaufmann, are your documents yet translated?

DR. KAUFMANN: Mr. President, I have only very few affidavits and there is no doubt that they will be in the hands of the Prosecution in time.

THE PRESIDENT: One moment. So that you will be quite ready to go on then?

DR. KAUFMANN: After Keitel, Mr. President.

THE PRESIDENT: Yes, after Keitel. Very well. Sir David, then you will present to us the objections which you are making to Dr. Horn's documents, and the Soviet Prosecutor will present his objections?

SIR DAVID MAXWELL FYFE: Yes, I shall hand them in as far as I have gone, if I may, at once.

THE PRESIDENT: Yes, and M. Champetier de Ribes, so far as his have gone.

SIR DAVID MAXWELL FYFE: If My Lordship please, yes.

THE PRESIDENT: Very well, the Tribunal will adjourn.

(The Tribunal adjourned until 1 April 1946 at 1000 hours.)